

IN THE SAN TAN JP (MESA SOUTH/GILBERT) COURT
STATE OF ARIZONA, COUNTY OF MARICOPA

****FINAL****

RELEASE QUESTIONNAIRE

DEFENDANT'S NAME SIXTO BALBUENA DOB 1988-11-20 BOOKING NO. P531342

ALIAS(ES) _____ CASE NO. PF2009124835001

A. GENERAL INFORMATION

Charges
1 Cts. 13-1104A MURDER 2ND DEGREE F2

Offense Location: 2565 W. IRONWOOD DR. CHANDLER, AZ
Offense Date: 2009-04-10
Arrest Location: 2565 W IRONWOOD DR. CHANDLER, AZ
Date: 2009-04-10 Time: 02:46

B. PROBABLE CAUSE STATEMENT

1. Please summarize and include the facts which establish probable cause for the arrest:
See Addendum (Page 3)

C. OTHER INFORMATION (Check if applicable)

1. Defendant is presently on probation, parole or any other form of release involving other charges or convictions:
Explain:

2. List any prior:
Arrests?

Convictions?

F.T.A.'s?

3. Is there any indication the defendant is:

- An Alcoholic? An Addict?
 Mentally disturbed? Physically Ill?

4. Defendant is currently employed

With whom UNITED STATES NAVY

How long: 2 years 0 months 0 days

5. Where does the defendant currently reside? 1605 3RD ST. NAF EL CENTRO, CA 92243

With whom SELF

How long: 0 years 8 months 0 days

6. What facts indicate the defendant will flee if released?
Explain:

7. What facts does the state have to oppose an unsecured release? Explain: SERIOUS NATURE OF CRIME/ PUBLIC SAFETY

D. CIRCUMSTANCES OF THE OFFENSE(Check if applicable)

1. Firearm or other weapon was used
Type: KNIFE CUTTING INSTRUMENT

Someone was injured by the defendant

Medical attention was necessary

Nature of injuries: STAB WOUNDS

2. Someone was threatened by the defendant
Nature and extent of threats:

3. If property offense, value of property taken or damaged:

Property was recovered

4. Name(s) of co-defendant(s):

****FINAL****

CASE NO. PF2009124835001

Page 2 of 3

E. CRIMES OF VIOLENCE

- 1. Relationship of defendant to victim:
 - Victim(s) and defendant reside together
- 2. How was the situation brought to the attention of the police?
 - Victim Third Party Officer observed
- 3. There are previous incidents involving these same parties
Explain:
- 4. Is defendant currently the subject of:
 - An order of protection Any other court order
 - Injunction against harassment
 Explain:

F. DOMESTIC VIOLENCE ISSUES (Check if applicable)

Defendant's actions

- Threats of homicide/suicide/bodily harm
- Control/ownership/jealousy issues Crime occurs in public
- Prior history of DV Kidnapping
- Frequency/intensity of DV increasing Depression
- Access to or use of weapons Stalking behavior
- Violence against children/animals
- Multiple violations of court orders

G. CIRCUMSTANCES OF THE ARREST (Check if applicable)

- 1. Did the defendant attempt to:
 - Avoid arrest Resist arrest Self Surrender
 Explain:
- 2. Defendant was armed when arrested
Type:
- 3. Evidence of the offense was found in the defendant's possession
Explain: DEF. COVERED IN VICT'S BLOOD (PENDING LAB)
- 4. Was the defendant under the influence of alcohol or drugs at the time of the offense?
 - Yes No Unk

H. DRUG OFFENSES

- 1. If the defendant is considered to be a drug dealer, please state the supporting facts:
- 2. What quantities and types of illegal drugs are directly involved in the offense?
 - Drug field test completed
 - Defendant admission of drug type
Approximate monetary value: \$
- 3. Was any money seized?
 - Yes No
 Amount: \$

If a fugitive arrest, a form IVA must also be completed

I certify that the information presented is true to the best of my knowledge.

<u>ARBIZU/530</u>	<u>AZ0070500/480-782-4200</u>	<u>2009-04-10</u>
ARRESTING OFFICER/SERIAL NUMBER	ARREST AGENCY/DUTY PHONE NUMBER	DATE

****FINAL****

CASE NO. PF2009124835001

Page 3 of 3

ADDENDUM**B1. Probable Cause Statement**

ON 04/10/09, AT APPROXIMATELY 0239, CHANDLER POLICE WERE CALLED TO 2565 W IRONWOOD IN CHANDLER ON A REPORT THAT A MALE VICTIM THERE HAD BEEN STABBED. OFFICERS ARRIVED ON SCENE AND CONTACTED SIXTO BALBUENA WHO HAD WHAT APPEARED TO BE BLOOD STAINS ON HIS TORSO FACE AND ARMS. BALBUENA'S GIRLFRIEND/FIANCE, AND RESIDENT OF THE HOME, WAS ALSO ON SCENE. BALBUENA MADE A SPONTANEOUS STATEMENT TO THE RESPONDING OFFICERS THAT HE STABBED THE MALE VICTIM. THE MALE VICTIM (18 YEARS OLD) WAS ON THE LOCATED ON THE BATHROOM FLOOR SUFFERING FROM MULTIPLE INJURIES INCLUDING WHAT APPEARED TO BE STAB WOUNDS. CHANDLER FIRE PARAMEDICS TREATED THE MALE VICTIM ON SCENE AND TRANSPORTED HIM TO AN AREA HOSPITAL WHERE HE WAS PRO-NOUNCED DEAD. AN INTERVIEW WAS CONDUCTED WITH BABLBUENA (POST MIRANDA). HE STATED THAT HE HAD BEEN GRANTED LIBERTY FROM THE NAVY AND CALLED HIS GIRLFRIEND TO SAY THAT HE WAS COMING TO VISIT. HE DROVE FROM CALIFORNIA TO THE CRIME SCENE AND CALLED HIS GIRLFRIEND'S CELL PHONE FROM OUTSIDE OF THE RESIDENCE SOMETIME AFT 0200 HOURS. HE SAID THAT SHE DID NOT ANSWER THE PHONE AND HE WENT INSIDE THE UNLOCKED FRONT DOOR. BALBUENA SAID THAT HE HEARD SOME NOISES COMING FROM THE MASTER BEDROOM AND THOUGHT SOMETHING WAS WRONG WITH HIS GIRLFRIEND. BALBUENA SAID THAT HE DIDN'T CALL OUT HER NAME AND DID NOT HEAR ANYONE TALKING. HE STATED THAT HE GRABBED A KNIFE FROM THE KITCHEN AND WALKED INTO THE BEDROOM WHERE HE SAW THE MALE VICTIM RUN INTO THE BATHROOM. BALBUENA CHASED AFTER THE MALE WHO HAD GONE INTO THE WATER CLOSET WHERE THE TOILET WAS AND CLOSED THE DOOR. BALBUENA SAID THAT HE PUSHED THE DOOR OPEN THE VICTIM PUSHED BACK AND CLOSED IT. BALBUENA FORCED THE DOOR OPEN AND SAW THE MALE VICTIM WEARING ONLY BOXER SHORTS AND HIS (BALBUENA'S) GIRLFRIEND NAKED IN THE CLOSET WITH HIM. BALBUENA SAID THAT THE VICTIM TOLD HIM HE WAS SORRY. BALBUENA STATED HE PULLED THE VICTIM OUT OF THE CLOSET AND KNOCKED HIM TO THE FLOOR. BALBUENA STATED THAT HE PUNCHED AND KICKED THE VICTIM MULTIPLE TIMES AS THE VICTIM LAY ON THE BATHROOM FLOOR. BALBUENA SAID HE GRABBED WHATEVER HE COULD FIND AND THREW THOSE OBJECTS, INCLUDING A COMPUTER PRINTER, AT THE VICTIM WHO HE SAID WAS TRYING TO MOVE AWAY FROM HIM ON THE FLOOR. BALBUENA STATED THAT HE WANTED TO TEACH THE VICTIM A LESSON AND THEN STABBED HIM ONCE IN THE LOWER SIDE/ABDOMEN. BALBUENA SAID THAT HE DID'NT WANT TO KILL THE VICTIM JUST HURT HIM TO LET HIM KNOW HOW HE (THE VICTIM) HURT HIM BY SLEEPING WITH HIS GIRLFRIEND. HE SAID THAT HE STUCK THE KNIFE IN TOO FAR STATING THAT THE BLADE WENT IN LIKE GOING INTO BUTTER. BALBUEANA STATED THAT HE THEN WENT AFTER HIS GIRLFRIEND AND THREW HER TO THE FLOOR AND JUMPED ON TOP HER DEMANDING TO KNOW HOW LONG SHE HAD BEEN CHEATING ON HIM. ACCORDING TO BALBUENA HIS GIRLFRIEND DID NOT ANSWER HIM. BALBUENA INFORMED ME THAT HE FELT REMORSE FOR ASSAULTING AND STABBING THE VICTIM AND CALLED 911 TO GET HIM MEDICAL HELP. BALBUENA SAID THAT HE SAW THE VICTIM WAS LYING ON THE FLOOR TRYING TO BREATH. BALBUENA SAID THAT HE WENT TO THE LIVINGROOM, PUT DOWN THE KNIFE, AND WAITED FOR POLICE TO ARRIVE.